

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

LA.App..No. 757 of 2001(D)

LAR.277/1994 of III ADDL.SUB COURT, ERNAKULAM

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APPELLANT:

THE PRESIDENT, CENTRAL MASJID, KALAMASSERY.

BY ADV. SRI.T.H.ABDUL AZEEZ

SRI.K.P.MAJEED

RESPONDENTS:

STATE OF KERALA

BY GOVERNMENT PLEADER SRI.K.V.MANOJ KUMAR

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.757 of 2001

Dated this the 28th day of November, 2007

JUDGMENT

Kurian Joseph,J.

This is an appeal filed by the claimant in L.A.R.No.277/1994 on the file of the Sub Court, Ernakulam. The acquisition is for the purpose of widening of the National Highway. It is seen that in the neighbouring property acquired for the same purpose in similar and comparable situations, in L.A.R.No.276/1994, the reference court has granted enhanced land value to the tune of Rs.24,872/- per Are. In that case the Land Acquisition Officer fixed the land value at Rs.51,072/- per Are. In this case also the Land Acquisition Officer fixed the land value at Rs.51,072/-. The property is the same category. Therefore, this appeal is also partly allowed holding that the appellant shall be entitled to have enhanced land value to the tune of Rs.24,872/- per Are along with all statutory benefits.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

**KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.**

L.A.A.No. 757 of 2001

JUDGMENT

28th November, 2007